

**CITY COUNCIL MEETING  
MARCH 5, 2002**

<b>Date &amp; Time</b>	On the 5 <sup>th</sup> day of March, A.D., 2002, the City Council of the City of Fort Worth, Texas, met in regular session at 7:06 p.m. in the City Council Chamber, 1000 Throckmorton, with the following members and officers present:
<b>Attendance</b>	Mayor Kenneth Barr; Mayor Pro tempore Ralph McCloud; Council Members Chuck Silcox, Becky Haskin, Frank Moss, Clyde Picht, Jeff Wentworth, and Wendy Davis; City Manager Gary Jackson; City Attorney David Yett; City Secretary Gloria Pearson. Council Member Jim Lane was absent. With more than a quorum present, the following business was transacted:
<b>Invocation</b>	The invocation was given by Reverend Chuck Burns, Ridglea Christian Church.
<b>Pledge</b>	The Pledge of Allegiance was recited.
<b>Minutes</b>	On motion of Mayor Pro tempore McCloud, seconded by Council Member Haskin, the minutes of the regular meeting of February 26, 2002, were approved unanimously.
<b>Special Presentations</b>	<p>Mayor Pro tempore McCloud presented a Proclamation for Colon Cancer Awareness Month.</p> <p>Council Member Haskin presented a Proclamation for Red Cross Month.</p>
<b>Announcements</b>	<p>Mayor Barr expressed appreciation to everyone who helped to make our "Cities Unite Across America and Thank New York City Firefighters" weekend a first-class event and for the hospitality shown to firefighter, Sal Sciascia, and his wife, Jenine, this past weekend. He also reminded the audience that the City Council would not meet next week and stated that the next meeting would be March 19, 2002, at 7:00 p.m.</p> <p>Council Member Haskin stated that last night was the last meeting for the Gateway Park master plan and expressed her appreciation to the Parks and Community Services staff, Streams and Valleys, and the Water District for their assistance. She added that Randle Harwood, Assistant Director of Parks and Community Services, gave an excellent presentation.</p> <p>Council Member Picht announced that the Community City Hall Out South meeting would begin with an Open House at 6:30 p.m., March 18, 2002, at Southwest High School and encouraged citizens</p>

to come out and bring their questions. He added that City staff and Council Members would be available to answer questions relative to redistricting, garbage collection, master thoroughfare plan, and annexation.

**Withdrawn from Consent Agenda** Council Member Moss requested that Mayor and Council Communication No. L-13252 be withdrawn from the consent agenda.

City Manager Jackson requested that Mayor and Council Communication Nos. G-13543 and C-18983 be withdrawn from the consent agenda.

**Consent Agenda** On motion of Council Member Davis, seconded by Council Member Wentworth, the consent agenda, as amended, was adopted unanimously.

**Appointments** Council Member Wentworth made a motion, seconded by Mayor Pro tempore McCloud, that the following persons be reappointed to Place 7, effective March 5, 2002, with a term expiring October 31, 2003 for the BOA, and October 1, 2003 for the remaining boards, as follows:

**NAME**  
**REAPPOINTED TO**

**Nick Genua**  
**Board of Adjustment & Fort Worth Alliance Airport Board of Adjustment**

**Dennis Shingleton**  
**City Plan Commission**

**Gary M. Moates**  
**City Zoning Commission and Fort Worth Alliance Airport Board of Adjustment**

Nancy Murphy  
Fort Worth Commission on the Status of Women

Ann McKinney  
Library Advisory Board

William Greenhill  
Parks and Community Services Advisory Board

Res. #2812  
Appointment to  
Board of  
Directors of Fort  
Worth Sports  
Authority, Inc.

There was presented Resolution No. 2812 by the City Council of the City of Fort Worth, appointing members of the Board of Directors of the Fort Worth Sports Authority, Inc., effective February 13, 2002, and with terms expiring as indicated:

NAME  
TERM EXPIRING

Jim Lane  
February 13, 2003

Jim Schell  
February 13, 2003

Emmett Murphy  
February 13, 2004

Tom Higgins  
February 13, 2003

Ramon Guajardo

**February 13, 2004**

**Jesse Gaines  
February 13, 2004**

**Joe Dulle  
February 13, 2003**

**Council Member Davis made a motion, seconded by Council Member Wentworth, that the resolution be adopted. The motion carried unanimously.**

**Res. #2813  
Appointment to  
Board of  
Directors and  
Chair for Tax  
Increment  
Reinvestment  
Zone No. 2**

**There was presented Resolution No. 2813 by the City Council of the City of Fort Worth, appointing the Board of Directors and Chair for Tax Increment Reinvestment Zone No. 2 (Speedway), effective March 5, 2002, and with terms expiring as indicated:**

**NAME  
TIME EXPIRING**

**Jim Lane, Chair  
December 31, 2003**

**Chuck Silcox  
December 31, 2003**

**Albert Perez  
December 31, 2003**

**Tom Kelly  
December 31, 2003**

**David Farmer  
December 31, 2003**

**The City Council hereby acknowledged the appointments of the following persons by various entities and with terms expiring as indicated:**

**NAME**  
**TERM EXPIRING**

Keith Sockwell  
December 31, 2003

Howard Young  
December 31, 2002

Davis Palmer  
December 31, 2002

Jim Carter  
December 31, 2002

City Attorney Yett advised Council that the third "Whereas" paragraph should read "expired December 31, 2001" instead of "will expire". Council Member Wentworth made a motion, seconded by Council Member Davis, that the resolution be adopted, as amended. The motion carried unanimously.

Res. #2814  
Appointment to  
Board of  
Directors and  
Chair for Tax  
Increment  
Reinvestment  
Zone No. 3

There was presented Resolution No. 2814 by the City Council of the City of Fort Worth, appointing the Board of Directors and Chair for Tax Increment Reinvestment Zone No. 3 (Downtown), effective March 5, 2002, and with terms expiring as indicated:

**NAME**  
**TERM EXPIRING**

Kenneth Barr, Chair  
December 31, 2003

Bill Boecker  
December 31, 2003

Michael Burr  
December 31, 2003`

Nina Petty  
December 31, 2003

Jeffrey Rattikin  
December 31, 2003

The City Council hereby acknowledged the appointments of the following persons by various entities and with terms expiring as indicated:

NAME  
TERM EXPIRING

Christene Moss  
December 31, 2003

Dan Villegas  
December 31, 2002

Gary Manny  
December 31, 2002

Roy Brooks  
December 31, 2002

Council Member Davis made a motion, seconded by Council Member Wentworth, that the resolution be adopted. The motion carried unanimously.

Res. #2815  
Appointment to  
Board of  
Directors and  
Chair for Tax  
Increment  
Reinvestment  
Zone No. 4

There was presented Resolution No. 2815 by the City Council of the City of Fort Worth, appointing the Board of Directors and Chair for Tax Increment Reinvestment Zone No. 4 (Southside), effective March 5, 2002, and with terms expiring as indicated:

NAME  
TERM EXPIRING

**Wendy Davis, Chair  
December 31, 2003**

**Ralph McCloud  
December 31, 2002**

**Jeff Wentworth  
December 31, 2003**

**Jon Ed Robbins  
December 31, 2002**

**The City Council hereby acknowledged the appointments of the following persons by various entities and with terms expiring as indicated:**

**NAME  
TERM EXPIRING**

**Juan Rangel  
December 31, 2003**

**Roy Brooks  
December 31, 2002**

**Kristin Jenkins  
December 31, 2003**

**Bill Lace  
December 31, 2002**

**Nancy King  
December 31, 2003**

**Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that the resolution be adopted. The motion carried unanimously.**

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| <b>Res. #2816<br/>Appointment to<br/>Board of<br/>Directors and<br/>Chair for Tax<br/>Increment<br/>Reinvestment<br/>Zone No. 5</b> | <b>There was presented Resolution No. 2816 by the City Council of the City of Fort Worth, appointing Jeff Wentworth as Chairman of the Board of Directors for Tax Increment Reinvestment Zone No. 5 (Dell) for calendar year 2002, effective March 5, 2002. Council Member Wentworth made a motion, seconded by Council Member Davis, that the resolution be adopted. The motion carried unanimously.</b>   |
| <b>Res. #2817<br/>Board of<br/>Adjustment,<br/>Case No. B/A-02-056</b>  | <b>There was presented Resolution No. 2817 by the City Council of the City of Fort Worth, authorizing the City Manager and the City Attorney to take legal action, if necessary, regarding the decision of the Board of Adjustment in Case No. B/A-02-056. Council Member Davis made a motion, seconded by Council Member Wentworth, that the resolution be adopted. The motion carried unanimously.</b>  |
| <b>Appoint<br/>Substitute<br/>Hearing Officers,<br/>Parking<br/>Violations<br/>Bureau</b>   | <b>There was presented Municipal Court Advisory Committee Recommendation No. 67, recommending that the City Council appoint Stephen W. Minyard and Mary S. Johnston as substitute hearing officers in the Parking Violations Bureau for a two-year term and setting the hourly salary at \$15.17, effective March 5, 2002. Council Member Davis made a motion, seconded by Council Member Haskin, that the recommendation be adopted. The motion carried unanimously.</b>   |
| <b>OCS-1269<br/>Claims</b>  | <b>There was presented Mayor and Council Communication No. OCS-1269 from the Office of the City Secretary recommending that the City Council refer notices of claims regarding alleged damages and/or injuries to the Finance Department. It was the consensus of the City Council that the recommendation be adopted.</b>  |
| <b>G-13490<br/>Ord. #15001<br/>Amend Fort<br/>Worth Fire Code</b>   | <b>There was presented Mayor and Council Communication No. G-13490, dated January 15, 2002, from the City Manager recommending that the City Council adopt Ordinance No. 15001 amending the Fort Worth Fire Code, being Ordinance No. 14652, which incorporated the 2000 The International Fire Code with appendices, to amend Subsection 3406.3.1.3, "Buildings", of Section 3406.3, "Well Drilling and Operating" to prohibit an oil or gas well to be drilled within 300 feet of a building; to amend Subsection 3406.3.1.3.2, "Existing Wells" of Section 3406.3, "Well Drilling and Operating" to continue to allow a building to be</b> |



constructed within 100 feet from any existing oil or gas well. Council Member Wentworth made a motion, seconded by Council Member Moss, that the recommendation be adopted.

**Thad Brundrett** Mr. Thad Brundrett, 777 Main Street, representing Carter and Burgess, appeared before Council in opposition of the ordinance. He expressed concern with the 300-foot and the proposed 200-foot setback restriction for construction of buildings. He added that this requirement would have a negative impact on the developer relative to decreasing the number of lots that could be developed as the developer had based the pattern of the lots using a 100-foot setback from existing wells.

**Jay Ewing** Mr. Jay Ewing, 306 Highway 380 West, Bridgeport, Texas, representing Devon Energy Corporation, appeared before Council and stated that he would like to have the opportunity for developers and the industry to work together to make sure that there is enough room to operate the well to its full life. He further stated that the Sendera plan was workable for his company.

Council Member Davis made a substitute motion, seconded by Council Member Haskin, to amend Section 3406.3.1.3.2 of the ordinance to change the existing well construction setback restriction from 100 feet to 200 feet. The motion carried by the following vote:

**AYES:** Mayor Barr; Mayor Pro tempore McCloud;  
Council Members Haskin, Moss, and Davis

**NOES:** Council Members Silcox, Picht, and Wentworth

**ABSENT:** Council Member Lane

**G-13543**  
**Ord. #15002**  
**Grant from Fort**  
**Worth Local**  
**Development**  
**Corporation**

There was presented Mayor and Council Communication No. G-13543 from the City Manager recommending that the City Council:

1. Authorize the City Manager to execute a grant agreement accepting the amount of \$500,000.00 from the Fort Worth Local Development Corporation for the restoration of the gym and workshop area at the former Guinn School campus; and

- 2. Adopt Appropriation Ordinance No. 15002 increasing estimated receipts and appropriations in the Grants Fund in the amount of \$500,000.00 from available funds for the purpose of funding restoration of Guinn School.**

**Eddie Griffin**

**Mr. Eddie G. Griffin, 1120 E. Davis, appeared before Council in support of the proposed restoration of Guinn School, but expressed concern regarding other areas of the school that were not included in the restoration.**

**Mayor Pro tempore McCloud made a motion, seconded by Council Member Moss, that Mayor and Council Communication No. G-13543 be adopted. The motion carried unanimously.**

**G-13544  
Settlement of  
Lawsuits –  
Dennison A.  
Royal v. City of  
Fort Worth, Case  
No. 02-01-00390-  
CV and City of  
Fort Worth v.  
Dennison A.  
Royal, Case No.  
2001-002594-3**

**There was presented Mayor and Council Communication No. G-13544 from the City Manager recommending that the City Council:**

- 1. Approve the settlement of claims in the case entitled Dennison A. Royal v. City of Fort Worth, Case No. 02-01-00390-CV; and**
- 2. Approve the settlement of claims in the case entitled City of Fort Worth v. Dennison A. Royal, Case No. 2001-002594-3; and**
- 3. Authorize the acceptance of \$12,000.00 from Dennison A. Royal in settlement of these cases; and**
- 4. Authorize the payment of \$117,000.00 to Dennison A. Royal in settlement of these cases with the check made payable to “Dennison A. Royal”; and**
- 5. Authorize the appropriate City representatives to execute the documents necessary to complete the settlements.**

**It was the consensus of the City Council that the recommendation be adopted.**

**G-13545  
Application Fee  
Waiver for  
Parking  
Variance**

**There was presented Mayor and Council Communication No. G-13545 from the City Manager recommending that the City Council approve a fee waiver of \$300.00 for application of a parking variance at the North Main Park and Ride lot. It was the consensus of the City Council that the recommendation be adopted.**

**G-13546**

**There was presented Mayor and Council Communication No. G-**

**Ord. #15003  
Contribution  
from Downtown  
Fort Worth, Inc.**

**13546 from the City Manager recommending that the City Council:**

- 1. Accept a contribution from Downtown Fort Worth, Inc., in the amount of \$192,582.00, for the operation and maintenance of Burnett Park for FY2001-2002; and**
- 2. Adopt Appropriation Ordinance No. 15003 increasing estimated receipts and appropriations in the Special Trust Fund in the amount of \$192,582.00 from available funds for the purpose of funding the operation and maintenance of Burnett Park for Fiscal Year 2001-2002.**

**Council Member Davis made a motion, seconded by Council Member Wentworth, that the recommendation be adopted, with appreciation. The motion carried unanimously.**

**G-13547  
Proposed  
Settlement  
Agreement of  
Lawsuit –  
Tommy Warren  
v. City of Fort  
Worth and  
Officer B.W.  
Randolph, Civil  
Action No. 4:01-  
CV-0887**

**There was presented Mayor and Council Communication No. G-13547 from the City Manager recommending that the City Council approve the settlement in the lawsuit entitled Tommy Warren v. City of Fort Worth and Officer B. W. Randolph, Civil Action No. 4:01-CV-0887; authorize the expenditure of \$100,000.00, plus taxable court costs, to complete this settlement; and authorize the City Attorney to agree to a settlement reflecting the described terms and authorize the appropriate City personnel to execute any releases and agreements necessary to complete the settlement. Mayor Pro tempore McCloud made a motion, seconded by Council Member Moss, that the recommendation be adopted. The motion carried unanimously.**

**P-9555  
Ord. #15004  
Stage/Flooring  
System**

**There was presented Mayor and Council Communication No. P-9555 from the City Manager recommending that the City Council:**

- 1. Adopt Appropriation Ordinance No. 15004 increasing estimated receipts and appropriations in the Public Events Fund in the amount of \$251,550.00 from available funds for the purpose of funding purchase agreement with Sico America, Inc. for a stage/flooring system for the Fort Worth Convention Center; and**
- 2. Authorize a purchase agreement with Sico America, Inc. for a stage/flooring system for the Fort Worth Convention Center for a total cost of \$190,378.00.**

**It was the consensus of the City Council that the recommendation be adopted.**

**P-9556  
Mowing  
Services**

**There was presented Mayor and Council Communication No. P-9556 from the City Manager recommending that the City Council authorize purchase agreements with multiple vendors to provide mowing services for the Parks and Community Services Department based on the low bid by sections, with payments due upon receipt of the invoices; and authorize these agreements to begin on March 5, 2002, and expire on March 4, 2003, with options to renew for two successive one-year periods. It was the consensus of the City Council that the recommendation be adopted.**

**P-9557  
Traffic Control  
Devices**

**There was presented Mayor and Council Communication No. P-9557 from the City Manager recommending that the City Council:**

- 1. Authorize a purchase agreement with multiple vendors for traffic control devices for the Transportation and Public Works Department based on the low bid per item and best value on item 3; and**
  - a) Ideal Electric Supply Company – item Nos. 1 and 7 with freight prepaid and added, and payment due 30 days after receipt of the invoice; and**
  - b) Public Space Plus – item Nos. 2, 3, 4, 5, 6, 8, 9, 10 and 11 with freight included in the unit prices and payment due 30 days after receipt of the invoice; and**

2. Authorize this agreement to begin March 5, 2002, and expire March 4, 2003, with options to renew for two successive one-year periods.

It was the consensus of the City Council that the recommendation be adopted.

**P-9558  
Amend M&C P-  
9471 –  
Technology  
Equipment and  
Staffing  
Services**

There was presented Mayor and Council Communication No. P-9558 from the City Manager recommending that the City Council authorize the City Manager to amend M&C P-9471 to add Data Tax Services, Inc., Data Projections, Inc., and DFW Communications as three additional vendors; and authorize an increase in the agreement of \$3,000,000.00 to procure technology equipment and staffing services using the State of Texas Cooperative Purchasing Program. It was the consensus of the City Council that the recommendation be adopted.

**P-9559  
Digital Copiers**

There was presented Mayor and Council Communication No. P-9559 from the City Manager recommending that the City Council authorize a three-year lease/rental agreement with Denitech Fort Worth to place digital copiers in City departments for the City Manager's Office, Reprographics Division, for an estimated cost of \$41,786.00 per month; and authorize this agreement to begin April 1, 2002, and expire on March 31, 2003, with two successive one-year options to renew. It was the consensus of the City Council that the recommendation be adopted.

**L-13252  
Right-of-Way  
Easement**

There was presented Mayor and Council Communication No. L-13252 from the City Manager recommending that the City Council approve the dedication of right-of-way easement described as Lot 2, Block 2, Ross Heights Addition, Tarrant County, Texas, from the City of Fort Worth to Oncor Electric Delivery Company for a fee of \$10.00.

Council Member Moss informed Council that he had a conflict with this issue, that he had filed a Conflict of Interest Affidavit with the City Secretary, and would abstain from voting.

Council Member Davis made a motion, seconded by Council Member Wentworth, that Mayor and Council Communication No. L-13252 be adopted. The motion carried by the following vote:

**AYES:** Mayor Barr; Mayor Pro tempore McCloud;  
Council Members Silcox, Haskin, Picht,  
Wentworth, and Davis

**NOES:** None

**ABSENT:** Council Member Lane

**NOT VOTING:** Council Member Moss

**C-18981  
Fox and Hound  
of Fort Worth,  
Ltd.**

There was presented Mayor and Council Communication No. C-18981 from the City Manager recommending that the City Council authorize the City Manager to enter into a standard consent agreement with Fox and Hound of Fort Worth, Ltd. authorizing installation of signs on Main Street and Houston Street. It was the consensus of the City Council that the recommendation be adopted.

**C-18982  
The Library II,  
LLC**

There was presented Mayor and Council Communication No. C-18982 from the City Manager recommending that the City Council authorize the City Manager to enter into a standard consent agreement with The Library II, LLC (a restaurant) authorizing the installation of a sign at 611 Houston Street. It was the consensus of the City Council that the recommendation be adopted.

**C-18983  
Ord. #15005  
SRO General  
Contracting, Inc.**

There was presented Mayor and Council Communication No. C-18983 from the City Manager recommending that the City Council:

1. Authorize the transfer of \$170,000.00 from the Water and Sewer Operating Fund to the Water Capital Project Fund in the amount of \$118,202.00 and the Sewer Capital Project Fund in the amount of \$51,798.00; and
2. Adopt Appropriation Ordinance No. 15005 increasing the estimated receipts and appropriations in the Water Capital Project Fund in the amount of \$118,202.00 and the Sewer Capital Project Fund in the amount of \$51,798.00 from the available funds for the purpose of funding a contract to SRO General Contracting, Inc. for Evans Avenue reconstruction from East Rosedale Street to Terrell Avenue and Plaza improvements; and

3. Authorize the City Manager to execute a contract with SRO General Contracting, Inc. in the amount of \$1,967,561.50 for the reconstruction of Evans Avenue from East Rosedale Street to Terrell Avenue and the construction of a public plaza near the intersection of Evans Avenue and Pulaski Street.

**Eddie Griffin**

Mr. Eddie Griffin, 1120 E. Davis, appeared before Council in favor of this issue.

Mayor Pro tempore McCloud made a motion, seconded by Council Member Davis, that Mayor and Council Communication No. C-18983 be adopted. The motion carried unanimously.

**C-18984  
Ord. #15006  
A.N.A.  
Consultants,  
L.L.C.**

There was presented Mayor and Council Communication No. C-18984 from the City Manager recommending that the City Council:

1. Authorize the transfer of \$108,160.00 from the Water and Sewer Operating Fund to the Sewer Capital Project Fund; and
2. Adopt Appropriation Ordinance No. 15006 increasing the estimated receipts and appropriations in the Sewer Capital Project Fund in the amount of \$108,160.00 from available funds for the purpose of funding an engineering agreement with A.N.A. Consultants, L.L.C. for Sanitary Sewer Rehabilitation Contract LIX (59); and
3. Authorize the City Manager to execute an engineering agreement with A.N.A. Consultants, L.L.C. in the amount of \$105,160.00 for Sanitary Sewer Rehabilitation Contract LIX (59).

It was the consensus of the City Council that the recommendation be adopted.

**C-18985  
Ord. #15007  
Amendment #1  
to CSC #27029 –  
TDH and TDP/C**

There was presented Mayor and Council Communication No. C-18985 from the City Manager recommending that the City Council:

1. Authorize the City Manager to execute Amendment No. 1 to City Secretary Contract No. 27029 with Texas Department of Health (TDH) and the Texas Diabetes Program/Council (TDP/C) for \$10,000.00 to be used to supplement the Chronic Disease Self-Management Program within the Diabetes Awareness and Education in the Community Grant for the fourth year from September 1, 2001, to August 31, 2002; and

- 2. Adopt Appropriation Ordinance No. 15007 increasing the estimated receipts and appropriations in the Grants Fund in the amount of \$10,000.00 for the purpose of funding authorization to execute Amendment No. 1 to the City Secretary Contract No. 27029 with the Texas Department of Health and the Texas Diabetes Program.**

**It was the consensus of the City Council that the recommendation be adopted.**

**C-18986  
Prime  
Strategies, Inc.**

**There was presented Mayor and Council Communication No. C-18986 from the City Manager recommending that the City Council authorize the City Manager to execute a project planning and design services agreement with Prime Strategies, Inc. for the Southwest Parkway (SH-121T) project from IH-30 to Altamesa Boulevard for an amount not to exceed \$499,113.00 plus up to \$20,000.00 for direct reimbursement for Phase I services. Actual expenditures will be for services performed and billing will be done on an hourly basis.**

**Council Member Davis stated that the agreement's Scope of Services should be amended by deleting the "(if necessary)" language as discussed in the Pre-Council Meeting.**

**Council Member Silcox made a motion, seconded by Council Member Haskin, that the recommendation be adopted as amended. The motion carried unanimously.**

**C-18987  
Fort Worth  
Convention &  
Visitors Bureau**

**There was presented Mayor and Council Communication No. C-18987 from the City Manager recommending that the City Council authorize the City Manager to enter into a contract with the Fort Worth Convention & Visitors Bureau for the marketing of the newly expanded Fort Worth Convention Center, for an amount not to exceed \$75,000.00. Council Member Davis made a motion, seconded by Council Member Wentworth, that the recommendation be adopted. The motion carried unanimously.**

**C-18988  
Ord. #15008  
Portman  
Development,  
LLC and Phelps  
Program  
Management,  
LLC**

**There was presented Mayor and Council Communication No. C-18988 from the City Manager recommending that the City Council:**

- 1. Authorize a non-interest bearing inter-fund loan from the General Fund to the Hotel Development Fund in the amount of \$2,580,414.00 for interim financing for pre-development of a Convention Center Hotel pending the issuance of bonds, notes, or other obligations to fund the acquisition and construction costs of the Convention Center Hotel; and**



- 2. Adopt Appropriation Ordinance No. 15008 increasing estimated receipts and appropriations in the Hotel Development Fund in the amount of \$2,580,414.00 from available funds from a non-interest bearing loan from the General Fund for the purpose of funding pre-development of a Convention Center Hotel and parking facility; and**
- 3. Authorize the City Manager to execute an Exclusive Negotiating and Pre-Development Agreement (Agreement) with Portman Development, LLC and Phelps Program Management, LLC for exclusive negotiation and pre-development of a Convention Center Hotel in substantially the same form as Exhibit "A".**

**City Attorney Yett stated that a revised supplemental appropriation ordinance had been distributed to Council which identified that the funds were appropriated from the non-interest bearing loan from the General Fund to the Hotel Development Fund.**

**Council Member Wentworth made a motion, seconded by Mayor Pro tempore McCloud, that the recommendation be adopted, as amended. The motion carried unanimously.**

**Public Hearing  
957 East Allen**

**It appeared that the City Council at its meeting of February 26, 2002, continued the public hearing for the Appeal to the Order of the Building Standards Commission regarding 957 East Allen. Mayor Barr asked if there was anyone present desiring to be heard.**

**Mr. Carl Smart, Code Compliance Director, appeared before the City Council, presented a staff report regarding property located at 957 Ease Allen, and recommended Council return the appeal to the Building Standards Commission (BSC) to be heard at their April 22, 2002 meeting.**

**Todd Dailey**

**Mr. Todd Dailey, 2552 Boyd Avenue, owner of the property, appeared before Council and stated that zoning issues had been addressed when this case was first brought before the BSC. He added that returning the appeal to the BSC was unnecessary as the structure would be fully restored by that time.**

**Mayor Barr requested that Mr. Dailey submit his written remarks to the City Secretary for distribution to the Council.**

**Mr. Dailey said that he would deliver his remarks to the Office of the City Secretary later in the week.**

There being no one else present desiring to be heard in connection with the Appeal of the Order of the Building Standards Commission regarding 957 East Allen, Mayor Pro tempore McCloud made a motion, seconded by Council Member Moss, that the appeal be returned to the Building Standards Commission to be reheard at their April 22, 2002 meeting. The motion carried unanimously.

**ZC-02-007  
Denied Without  
Prejudice**

It appeared that the City Council, at its meeting of February 19, 2002, continued the hearing of the application of the City of Fort Worth Planning Department for a change in zoning of property located at 5212 Pinson Street from "B" Two-Family to "A-5" One-Family, Zoning Docket No. ZC-02-007. Mayor Barr asked if there was anyone present desiring to be heard.

There being no one present desiring to be heard in connection with the application of the City of Fort Worth Planning Department, Council Member Moss made a motion, seconded by Council Member Davis, that the Zoning Hearing be closed and that Zoning Docket No. ZC-02-007 be denied without prejudice. The motion carried unanimously.

**Citizen  
Presentations  
Emily Burt**

Ms. Emily Burt, 8632 Vanderbilt Lane #3004, representing Fort Worth Heritage Christian Academy, appeared before Council and expressed appreciation to the City for the positive preventive measures taken to secure access to the Cowtown Inn.

**Don Hicks**

Mr. Don Hicks, 6515 E. Lancaster, representing the Leadership Coalition of East Fort Worth, appeared before Council and presented the coalition's suggestions for demolition of the Cowtown Inn. He stated that they would like to work with the Planning and Zoning departments in the development and zoning of the area.

Mayor Barr expressed the Council's appreciation for Mr. Hicks' presentation and urged City staff to work with the coalition of neighborhoods. He asked Mr. Carl Smart, Code Compliance Director, to provide an update of the action plan that had been developed and implemented to mitigate the immediate hazards at the Cowtown Inn as identified at the previous City Council meeting. Mr. Smart stated that the fence had been repaired and a new chain link fence was installed in the rear of the property. He added that all openings had been secured to prevent entry and the pool filled with dirt. He assured Council that the structure would be monitored twice weekly by Code Compliance officers for unauthorized activity.

Council Member Haskin suggested that a fence also be erected around the front of the property to further preclude access to the building and property, since the front of the property is used as a parking lot on the weekends. Mayor Barr requested staff to evaluate the placement of a fence and provide Council that information. He also requested that the signs that were not contaminated be removed.

**George Barnes**      Mr. George Barnes, 5317 Bonnell Avenue, appeared before Council relative to abandoned and substandard structures in the Lake Como area. He requested Council limit construction of low income housing in the Como area.

**Brian Harris**      Mr. Brian Harris, 2509 Warren Lane, representing the Fort Worth Fire Department, appeared before Council relative to the Fire Engineer's Promotional List.

**George Chiles**      Mr. George Vernon Chiles, 2800 Jennings, appeared before Council relative to the City's policy to require a person to identify themselves to a police officer prior to being arrested by said officer and then cited Texas Penal Code 38.02.

**Richard Thompson**      Mr. Richard Thompson, 1500 Maplewood #215, representing RACR, appeared before Council and expressed dissatisfaction with alleged Police Department unresponsiveness.

**Ray Cain**      Mr. Ray W. Cain, 2200 Aden Road #1107, appeared before Council and requested their assistance with filing criminal reports for allegedly being assaulted by hospital staff. Mayor Barr asked Mr. Cain to speak with Assistant City Manager Libby Watson at the close of the meeting.

**Reconsideration of M&C G-13490**      City Attorney Yett stated that the language on Mayor and Council Communication G-13490 was inconsistent with action taken by Council and recommended Council reconsider the M&C at this time.

Mayor Pro tempore McCloud made a motion, seconded by Council Member Davis, that Mayor and Council Communication G-13490 be reconsidered at this time. The motion carried unanimously.

Sarah Fullenwider, Assistant City Attorney, stated that the change to Section 3406.3.1.3.2 of Ordinance No. 15001 earlier approved by Council and the addition of Section 3406.3.1.3.3 would provide for

alignment between the Fort Worth Fire Code and the Gas Drilling and Production Ordinance adopted December 11, 2001. She recommended Council add Section 3406.3.1.3.3 to the ordinance as follows:

**“Section 3406.3.1.3.3 Reduction in Building Distance. The distance set out in Section 3406.3.1.2.3 “Existing Wells” may be reduced to 100 feet with the unanimous consent of all the surface property owners, the permitted well operator and the three-fourths affirmative votes of all City Council members.”**

Council Member Davis made a motion, seconded by Mayor Pro tempore McCloud, that Ordinance No. 15001 be amended to include the addition of Section 3406.3.1.3.3. The motion carried unanimously.

**Adjournment**

There being no further business, the meeting was adjourned at 9:05 p.m.